

THE CASE

Of the Sitting Members that Serve for The Burrough of Southwark.

THe Election began the Twelfth day of *January*, 1683. and upon the View it did appear the Sitting Members, had much the greater Number ; but in regard a Poll was demanded , the Bailiff immediately complied with it : and was prosecuted, pursuant to the Articles hereunto annexed.
The Petition is in the Name of the Inhabitants of *Southwark*, who do pay Scot and Lot , and have the only right to Elect, &c. It does *allow that the Bailiffs has the right of Inspection and Ordering the Election* ; But complains that the Bailiff suffered persons to Poll who had no right, and hindring the Petitioners to discover them.

By removing the Poll from a convenient place , and continued it Three days at *St. Georges* near the Kings Bench and *Marshalsea* Prisons.

That those which came to Poll for the persons Nominated by the Petitioners were forcibly kept out , Beaten and Wounded. And returned Sir *Peter Rich* and *John Arnold* Esq; when as (say the Petitioners) *Anthony Bowyer* and *Edward Smith* Esquires were duly Elected by the Major part, who had right to Elect, &c.

I answer to this disingenious Petition, The Sitting Members, doubt not to make it appear, That all the matters therein contained, are false and untruly suggested. For they will prove

That at all times whensoever a Poll was taken, the Burgeses were chosen by the Inhabitants, Housekeepers of this Burrough, who did not receive Alms of the respective Parishes.

That in Five succeeding Elections these very Petitioners did give their Votes, as the Ancient Usage of this Burrough, according to the Articles Signed by the Candidates.

That divers of these Petitioners in former Elections did Poll for Sir *Richard How* and Sir *Peter Rich*, according to the Usage now practiced, as being the Custom of the Burrough.

That all persons who had right to Poll, had free access in his Turn to the Poll-Table, where all necessary Questions were put by the Bailiff or his Deputy ; That is to say, *The persons Abode, his Trade, and what sort of Habitation he had, Before he declared for whom he gave his Poll.*

That to avoid all Contests and Disturbance, in so great an Election ; This Article was assented and agreed unto. That any Candidate might make his Queries upon any person , he suspected to be a false Poller, and every night successively, before the Books were closed ; Copies of the same were either given or sent to the Candidates on each side, to enquire after such suspected Pollers, to the end, they might be detected, and disallowed before the Close of the Poll.

That in all former Elections where a Poll was demanded and taken, the Bailiff for Accommodation of the Inhabitants who are distant from each other, *did take the Poll in the same places, they now were taken at.*

That no Force was used by the Sitting Members or their Agents , the Constables who usually attended the Poll, being generally inclined to favour the Petitioners side. Did use indirect means to feed the Poll with their party, thereby discouraging several that would have given their Poll for *Arnold* and *Rich* to decline it.

That neither the Petitioners or the Candidates ever complained of any irregular or undue practice of the Bailiff, during the taking of this Poll (which held six days) until the Books were cast up, and the disproportion appeared so great.

For *John Arnold* Esq; Polled-----21302 } For *Anthony Bowyer* Esq;---1360
For *Sir Peter Rich*-----16775 } For *Edward Smith* Esq;---1526

So Mr. *Arnold* had more Votes than Mr. *Bowyer*---7702 } More than Mr. *Smith*---604
Sir *Peter Rich* had more than Mr. *Bowyer*-----3175 } More than Mr. *Smith*---151

And whereas the Petition is said to be in behalf of themselves and others that have right to Elect. The Sitting Members believe they shall be able to prove , that some of the Petitioners went from House to House to get Hands, and collect Monies to carry on this Petition ; but were refused by some persons that Polled for *Smith* and *Bowyer*, declaring to this effect. They were satisfied with the fairness of the Poll.